

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-5, 7 and 16 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7 and 12-16 are now pending in this application, with claims 12-15 being directed to a non-elected species.

Applicant acknowledges with appreciation the indication in the Office Action that claims 5-7 contain allowable subject matter and would be allowable if rewritten to overcome a rejection under 35 U.S.C. § 112, second paragraph. Applicant has amended claim 5 accordingly. Claims 6 and 7 depend there from. Accordingly, claims 5-7 are believed to be in condition for allowance.

In the Office Action, claims 1, 4 and 7 were objected to and claims 4 and 5-7 were rejected under 35 U.S.C. § 112, second paragraph. These objections and rejection have been overcome by way of the present amendments to the claims.

Also in the Office Action claims 1 and 16 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Yoshikawa et al. (U.S. Patent No. 5,982,402). Claims 2-4 were rejected under 35 U.S.C. 103(a) as being allegedly obvious over Yoshikawa et al. in view of Tanimoto et al. (EP 0 797 343 A2). In view of the amendments to the claims and for at least the reasons set forth herein, these rejections have been overcome.

Yoshikawa et al. determines a scan position of one light beam using a pair of, for example, an optical sensor (60-1) and a detecting window (54-1). In

contrast, the present invention detects positions of a plurality of light beams at a same beam sensing section (sensor SO). In other words, the present invention accurately controls the relative position of the light beams and the position of each beam, using only a sensor. In at least this aspect, the present invention and Yoshikawa et al. are fundamentally different. Yoshikawa et al. cannot be deemed to anticipate or render obvious the claims of the present application.

The secondary reference, Tanimoto et al., does not disclose, teach or suggest a position sensor which generates output signals corresponding to continuous changes in the beam passage position.

For the reasons given above, neither Yoshikawa et al. nor Tanimoto et al. discloses, teaches or suggests the structural element of a beam position detector recited in the amended independent claims. Accordingly, the rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) should be reconsidered and withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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